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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/025,896	02/18/1998	BILLIE JEAN LONGSTRETH		1132

7590

12/17/2004

BILLIE JEAN LONGSTRETH
2204 ROSEANNE COURT
FAIRBORN, OH 45324

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliance With 37 CFR 1.192(c)	Application No. 09/025,896	Applicant(s) <i>CH</i> LONGSTRETH, BILLIE JEAN	
	Examiner Charles Goodman	Art Unit 3724	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 16 September 2004 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☒ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

Re Item #5 - First the Examiner apologizes for not catching this earlier. Second, in the Final Rejection, Paper No. 30, mailed 06/06/2003, the single claim was rejected under several different references, and the issues for review should be for each ground of rejection, i.e. (1) whether claim 7 is anticipated by Seib et al; whether claim 7 is obvious over Rothje in view of Snyder; (3) whether claim 7 is obvious over Rothje in view of Seib et al; (4) whether claim 7 is obvious over Bell in view of Collins and Snyder; (5) whether claim 7 is obvious over Bell in view of Collins and Seib et al. In total there were 5 grounds of rejection so there should be 5 issues for consideration. Again the Examiner regrets this oversight and if Appellant has further questions, please contact the Examiner.

Charles Goodman
CHARLES GOODMAN
 PRIMARY EXAMINER